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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/390,928	09/07/1999	MARTIN DUURSMA	CTX-019CP(15	7827

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EXAMINER

CHOUDHARY, ANITA

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 05/01/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

8K

# Office Action Summary

Application No.

09/390,928

Applicant(s)

BLOOMFIELDET AL.

Examiner

Anita Choudhary

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on September 7, 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on September 7, 1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Specification*

The use of the trademark PENTIUM®, MACINTOSH®, WINDOWS®, JAVA®, UNIX®, ACTIVEX®, has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

### *Drawings*

This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: "47". A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "41" has been used to designate both Program Neighborhood icon and Program Neighborhood application. A proposed drawing correction or corrected drawings are

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required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1, 4, 5, and 6 recite the limitation "the host system" in line 7, line 1, line 1, line 2 of each claim respectively. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 5, 6, and 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Regnier et al. in view of Ito et al.

Regnier et al. teaches substantial features of the claim. Regnier discloses a client/server computer system that controls availability of system resources. Application programs are made

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available to client subject to client verification at server. Regnier teaches a system having elements:

- Host receiving client credentials (col. 4 lines 45-49)
- Determining if hosted application program is available to client (col 6 lines 23-25; col 6 lines 40-43).
- Creating an output display of available application programs (col 5 lines 44-47).
- Transmitting the output display to client (col. 5 lines 66-67; col 6 lines 1-2).

Although Reigner teaches a considerable amount of the claimed invention, discussed above, Reigner does not show a host server connected to plurality of servers. Nonetheless, having a host server receive information from a plurality of servers is well known in the art and would have been an obvious modification of Reigner's system, as evidenced in a similar art by Ito et al.

Ito teaches a system with a client and a plurality of servers. Ito shows a system having:

- A host server receiving account information from the plurality of servers (col 3 lines 58-59; col. 4 lines 12-17).

Given the system such as disclosed by Ito et al., a person of ordinary skill in the art would have readily recognized the desirability of modifying the client/server system of Regnier by adding a plurality of servers; so a client has one point of contact to a plurality of servers and so the client does not have to submit its credentials numerous times to different servers in order to access application-program material. This creates a larger more efficient network comprising of additional application-programs available to client.

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1. In referring to claim 5, Regnier discloses a method of encrypted communications between client and host (col 7 lines 7-8).
2. In referring to claim 6, Ito discloses a method of:
  - Authenticating at the host server of the client based on user credentials (col 4 41-48).
  - Executing a selected one of the plurality of servers without requiring further entering credentials by client (col 7 lines 28-37)
3. In referring to claim 11, Reigner discloses a method of:
  - Receiving request to execute application program (col 6 lines 48-50, 63-66).
  - Execution of requested program (col 7 lines 17-42).
4. In referring to claim 12, Ito discloses executing request in a display output window ( col 6 lines 26-36).
5. In referring to claim 13, Ito teaches a connection between client and server hosting the requested application (Figure 2, item 110; col 6 lines 30-31).
6. In referring to claim 14, Ito discloses a system of communicating by the host server with the plurality of servers. (col 4 lines 64-67).

Claims 2, 3, 7-10, and 15-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Regnier et al in view of Ito et al. in further view of Cook.

In referring to claim 2 and 15; although the combined teachings of Regnier and Ito show substantial features of the claimed inventions, discussed above, Regnier shows:

- A system for maintaining application related information corresponding to other servers (col 5 lines 16-19).
- A database storing the collected information from other servers (col 4 lines 53-64).

However, it fails to disclose a web server receiving application related information corresponding to programs hosted at least one of a plurality of servers. Nonetheless, these features are well known in the art and would have been obvious modifications to the system disclosed by Reigner in view of Ito, as evidenced by Cook.

In an analogous art, Cook discloses a web server coupled with a plurality of servers having data which can be accessed by a client (col 6 lines 11-16).

Given the teaching of Cook, a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Regnier in view of Ito by using a web server to receive application information from a plurality of servers, such as Cook discloses, so that the server can be accessed more easily on the widely used and well known World Wide Web.

1. In referring to claim 3, 7, and 18, Cook discloses the handling of SGML by the host and

the creating of an output in the form of SGML to the client (col 6 lines 21-24).

2. In referring to claim 8, Cook discloses creating an output in the form of HTML to the client (col 6 lines 21-24)
3. In referring to claim 9, Ito discloses creating an output in the form of GUI to the client (Fig 3).
4. In referring to claim 10 and 19, Cook discloses transmissions between client and host as HTTP (col 5 lines 63- 67; col 6 lines 1-4).
5. In referring to claim 17, Regnier discloses a system where the service module transmits datagram to collect information about other servers (col 4 lines 39-38; 6 lines 35-48).

Claim 4 rejected under 35 U.S.C. 103(a) as being unpatentable over Regnier et al in view of Ito et al in further view of Walker et al.

Although the combined teachings of Regnier and Ito show substantial features of the claimed invention (discussed above), it fails to disclose a biometric method of submitting client credentials to a host system. Nonetheless, this feature is well known in the art and would have been an obvious modification to the system disclosed by Regnier in view of Ito as evidenced by Walker et al.



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In an analogous art, Walker discloses a method for authentication to host by use of biometric data (see col 25 lines 62-65).

Given the teaching of Walker, a person having ordinary skill in the art would have readily recognized the desirability and advantages to modifying Regnier in view of Ito by employing a means for receiving biometric data, such as disclosed by Walker, in order to allow for a more secure means for accessing important application programs held by the host.

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bryant et al. Discloses a method of logging on to a web server and plurality of servers to obtain application program information.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anita Choudhary whose telephone number is (703) 305-5268. The examiner can normally be reached on 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (703) 305-4792. The fax phone numbers for the organization where this application or proceeding is assigned is (703)746-7238 for regular communications and 703-746-7239 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.


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April 26, 2002



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